IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

Bail Appl..No. 551 of 2007()

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CP.48/2006 of J.M.F.C.-II,PATHANAMTHITTA
CRIME NO.57/05 OF PATHANAMTHITTA POLICE STATION

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PETITIONER : ACCUSED.

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SOMAN @ PODIMON, MEMURIYIL HOUSE,
KANJIRAPPARA, MALAYALAPUZHA,
PATHANAMTHITTA.

BY ADV. SRI.C.S.MANILAL

RESPONDENTS: COMPLAINANT.

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STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**B.A. No. 551 OF 2007**

**Dated this the 5th day of February, 2007**

**O R D E R**

Petitioner, who is the accused in Crime No.57/2005 of Pathanamthitta Police Station for offences punishable under sections 8 (1) and 8(2) of the Abkari Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner before the JFCM-I, Pathanamthitta in C.P. No.48/06, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the JFCM-I, Pathanamthitta and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

**(V. RAMKUMAR, JUDGE)**

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